

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Depuy Mitek, Inc.,

Plaintiff,

CIVIL ACTION  
NO. 04-12457-PBS

v.

Arthrex, Inc., et al,

Defendants.

**PRETRIAL ORDER**

SARIS, D.J.

June 19, 2007

The above action has been set down for a JURY TRIAL on 8/6/07, at 9:00 a.m.

A FINAL PRETRIAL CONFERENCE has been scheduled for 7/31/07, at 4:00 p.m.

By 6/29/07, the parties shall make all expert disclosures as required by Fed. R. Civ. P. 26(a)(2).

By 6/29/07, the parties shall make pretrial disclosures as required by Fed. R. Civ. P. 26(a)(3).

Objections to the pretrial disclosures shall be served and filed by 7/13/07.

By 7/23/07, the parties shall file a joint pretrial memorandum in accordance with L.R. 16.5(d). Counsel are required to confer fifteen days before the final pretrial conference for the purpose of preparing the joint pretrial memorandum.

By 7/13/07, the parties shall file/serve proposed jury instructions, proposed voir dire questions, motions in limine, witness/exhibit lists<sup>1</sup>, and any designations<sup>2</sup> of deposition testimony.

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<sup>1</sup>Exhibits shall be premarked with one set of exhibit numbers. There should be no duplicative exhibit numbers. For example, if plaintiff's exhibits are premarked ## 1 - 100, the defendant's exhibits should be premarked ## 101, 102, etc... The case number is also to appear on each exhibit sticker. Counsel shall file with the Court an original and two (2) copies of the exhibit and witness lists.

<sup>2</sup>It is helpful if designations and counter-designations are submitted on the same copy, with designations highlighted in one color and counter-designations highlighted in another.

By 7/24/07, the parties shall file/serve opposition to motions in limine, any objections to witnesses or exhibits, and counter-designations of deposition testimony.

Trial briefs shall be filed/served by 7/24/07.

**NOTE: IF THIS COURT RESCHEDULES THE TRIAL AND FINAL PRETRIAL CONFERENCE DATES, COUNSEL ARE TO CONFER AND ADJUST ALL OTHER DATES IN THIS ORDER COMMENSURATE WITH THE NEW TRIAL DATE.**

/s/ Patti B. Saris

Patti B. Saris

United States District Judge